UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/187
7 March 1995

ORIGINAL: ENGLISH

LETTER DATED 7 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith the statement of a spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea, dated 28 February 1995.

I would be grateful if you could kindly arrange to have this statement circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Permanent Representative

95-06442 (E) 070395 080395

/...

Annex

Statement of a spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea dated 28 February 1995

The United States and some of its followers are these days raising a row, distorting the facts over the issue of the withdrawal of the Polish delegation from the Neutral Nations Supervisory Commission by arguing that the Democratic People's Republic of Korea violated the Armistice Agreement and international law.

This is motivated by the sinister purpose of shifting the responsibility for the total paralysis of the armistice machinery upon the Democratic People's Republic of Korea and barring the process of the establishment of a new peace mechanism on the Korean peninsula.

That the issue of the withdrawal of the Polish delegation from the Neutral Nations Supervisory Commission has cropped up is a natural result of the systematic acts of the United States to destroy the Korean Armistice Agreement and armistice machinery.

It is widely known to the world that the United States side, a signatory to the Armistice Agreement, has reduced the provisions of the Agreement and its enforcement devices to nominal things in favour of its occupation of South Korea and its arms build-up.

The United States side forced the inspection teams of the Neutral Nations Supervisory Commission, which had been formed according to paragraphs 40 and 43 of article 2 of the Armistice Agreement, to withdraw from its side's area in June 1956 and then unilaterally abrogated subparagraphs 13C and 13D of the Armistice Agreement on stopping the introduction of reinforcing military personnel and combat materials into Korea, the main duty of the Neutral Nations Supervisory Commission, in June 1957.

As a result, paragraphs 41 and 42 of the Armistice Agreement, defining it as the mission of the Neutral Nations Supervisory Commission to supervise and investigate the introduction of reinforcing military personnel and combat materials, lost their legal effect.

Since then the Neutral Nations Supervisory Commission has existed only in name.

Worse still, the United States side paralysed even the function of the Military Armistice Commission, the main truce supervisory machinery by appointing a "General" of the South Korean puppet army, which was not a signatory to the Armistice Agreement and had no qualification at all, as its Senior Member of the Military Armistice Commission in March 1991.

All these subversive acts of the United States side were committed unilaterally, without agreement with us.

Owing to this, paragraph 61 of article 5 of the Armistice Agreement, stipulating that the Armistice Agreement could be amended and supplemented only under agreement between the commanders of both sides, lost its legal validity.

The Military Armistice Commission and the Neutral Nations Supervisory Commission, its auxiliary organ, were destroyed and paralysed by the United States side, a signatory to the Agreement, and no more hope could hinge on them.

It is a matter pertaining to the sovereignty of a sovereign State and it conforms to international legal relations for us to take commensurate steps under this condition.

So the Democratic People's Republic of Korea proposed negotiations for establishing a solid peace mechanism in April last year and took the steps of withdrawing its delegation from the Military Armistice Commission on its own initiative to accelerate this process.

The side of the Chinese People's Volunteers, too, withdrew its delegation in keeping with the situation obtaining.

With the Korean-Chinese side completely withdrawn from the Military Armistice Commission, the Polish delegation to the Neutral Nations Supervisory Commission automatically lost even the machinery to rely on.

We expected that the Polish side would act in conformity with the prevailing situation. But our expectation was not answered.

So the Democratic People's Republic of Korea Government could not but suspend the legal validity of the designation and invitation of Poland as a member nation of the Neutral Nations Supervisory Commission in July 1953 when the Korean Armistice Agreement was signed.

The withdrawal of the Polish delegation from the Neutral Nations Supervisory Commission has been raised also because of the unproductive position of the Neutral Nations Supervisory Commission today.

The Neutral Nations Supervisory Commission has nothing to do now. Its members only eat and sleep. If there is anything it does, it plays the role of camouflage for justifying the unreasonable stand of the United States for maintaining the already destroyed cold-war system.

The United States, regardless of the existence of the Neutral Nations Supervisory Commission, is freely reinforcing its armed forces and staging adventurous military exercises in South Korea.

So we do not feel the need to maintain the Polish delegation, continuously bearing the burden of unproductive expenditure.

The withdrawal of the Polish delegation from the Neutral Nations Supervisory Commission is indispensable also for the establishment of a solid peace mechanism on the Korean peninsula.

But the United States and some of its followers, ignoring our proposal to have negotiations for the establishment of a new peace mechanism on the Korean peninsula, are trying hard to keep the armistice system as it is.

The United States is using the Neutral Nations Supervisory Commission as an important expedient here.

Accordingly, the withdrawal of the Polish delegation is not merely a matter related to the relations between the Democratic People's Republic of Korea and Poland but a matter of a stand showing whether one truly wants durable peace and security on the Korean peninsula or confrontation and growing tension as in the cold-war era.

We aim at terminating the present state of truce, a legacy of the cold-war era, and establishing a peace mechanism meeting the demands of reality.

Therefore, it would be welcomed if the Polish Government withdrew its delegation from the Neutral Nations Supervisory Commission, expressing understanding of our recommendation, and it would be conducive to the promotion of the peace process on the Korean peninsula.

The United States and the forces following it must act in favour of the preservation of peace, clearly seeing the trend of the world towards détente after the termination of the East-West confrontation and the situation created on the Korean peninsula.

If our partner fails to do so and creates complexity, we will be left with no other choice but to take a legitimate step to cope with this.